REMARKS/ARGUMENTS

The Applicants thank the Examiner for the telephone interview of October 4, 2005 and her efforts in moving this case forward. During the last telephone interview, Applicants' undersigned attorney discussed the outstanding §103 rejections involving the combination of U.S. Patent No. 6,321,205 of Eder ("Eder") and U.S. Patent No. 5,414,844 of Wang ("Wang"). Particularly, Applicants' undersigned attorney noted, and the Examiner acknowledged, that Wang did not disclose a system or method a user is authorized to alter one or more *assumed variables* based on a level of authorization of the user *and a level of the hierarchy in which the assumed variables are positioned.* This response discusses this and other issues.

§103 Rejections

The Examiner rejected claims all pending claims as unpatentable in view of Eder and Wang. Applicants respectfully assert that the proposed combination does not teach all elements of the claimed inventions for the following reasons.

Claims 1-5, 8, 9, 11, 14-18, 21 and 22

Claims 1-5, 8, 9, 11, 14-18, 21 and 22 each include limitations relating to a system or method for analyzing a business enterprise's performance in creating value, which implements a data structure including hierarchy of assumed variables, where a user can alter an assumed variable based on a level of authorization of the user and the level of the assumed variable.[1] The Examiner conceded that Eder does not disclose a model that allows different

[1] See, for example, the following limitations ("authorizing a user to alter one or more of the assumed variables based on a level of authorization of the user and a level of the hierarchy in which the assumed variables are positioned, wherein different levels of authorization have access to different

levels of users to alter different levels of assumed variables. To meet this limitation, the Examiner cited Wang. Particularly, the examiner cited C2, L21-32 in which Wang describes associating an access control profile for each data object stored within a data process system, and describes listing the identity of users and groups of users, and the authorization level granted to each user or group.

Applicants respectfully assert that the claims are patentable over the proposed combination because Wang does not disclose the ability to alter "assumed variables" based the level of a user *and a level of the assumed variables in a hierarchy*. Because neither Wang nor Eder disclose this limitation, the proposed combination cannot satisfy all limitations of any of claims 1-5, 8, 9, 11, 14-18, 21 and 22.

The second citation provided by the Examiner (C3, L66 - C4, L8), makes clear that "data objects" in Wang refer to "documents" or "groups of documents" that are associated with a "library object." (C4, L42). In fact, the terms "data object" and "document" are used interchangeably by Wang throughout the document. A "Library Object" as referred to in Wang may be thought of as equivalent to a "directory" or "folder" in a computer's directory structure. Thus, the methods described in Wang are relevant for controlling access to data objects or documents that are associated with a library object. Nowhere in Wang is there any mention of "assumed variables" that are linked together in different levels of a hierarchy,

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levels of assumed variables" – Independent claim 1; "authorizing a plurality of users to alter one or more of the assumed variables based on a level of authorization of each user and a level of the hierarchy in which the assumed variables are positioned, wherein different levels of authorization have access to different levels of assumed variables" – Independent claim 5; "means for authorizing a user to alter one or more of the assumed variables based on a level of authorization of the user and a level of the hierarchy in which the assumed variables are positioned, wherein different levels of authorization have access to different levels of assumed variables" – Independent claim 14; "authorizing a plurality of users to alter selected ones of the events and selected ones of the assumed variables based on a level of authorization of each user and a level of the hierarchy in which the assumed variables are positioned, wherein different levels of authorization provide access to different levels of assumed variables" – Independent claim 18

authorization based on the level of the assumed variables, or any mention of a model for analyzing a business enterprise's capability in creating value.

In the claimed inventions, "assumed variables" are organized in a data structure or model that permits a user to generate the outcomes of a value stream of a business enterprise. The assumed variables are arranged in a multi-level hierarchy in which assumed variables positioned at a lower level in the hierarchy influence one or more assumed variables positioned at a higher level in the hierarchy. The "data objects" or "library objects" disclosed by Wang are not "assumed variables," and are not arranged in the claimed manner. The data objects or documents referred to in Wang are self-standing documents or groups of documents. These documents or objects are not arranged at different levels of a hierarchy, where objects at one level of the hierarchy influence objects at higher levels of the hierarchy. Thus, the authorization of users to access certain documents in Wang is not based on a position of the documents at a level in a hierarchy.

For these reasons, even if the proposed combination were made, it would not teach the limitations related to authorizing users to alter assumed variables in a model by reference to the level of authorization of the user combined with the level of the hierarchy in which the assumed variables are positioned. For these reasons, the proposed combination cannot render obvious any of claims 1-5, 8, 9, 11, 14-18, 21 and 22. Applicant respectfully requests that these claims be allowed.

Claims 10, 12 and 13

Similar to the other independent claims, independent claim 10 includes a limitation regarding the authorization of different levels of users to interact with the data structure. Particularly, claim 10 includes a limitation of selectively authorizing a plurality of users to

provide real-time feedback on the value creation performance of the business enterprise based on a level of authorization of each user, wherein only certain levels of authorization are permitted to provide real-time feedback. The real-time feedback is stored in a data structure and is used along with the assumed variables to determine an outcome for the value stream of the business enterprise. Wang does not disclose the limitation of authorizing one certain levels of users to enter real-time feedback into a data structure that is used to determine an outcome for the value stream of a business enterprise. Nowhere in Wang is there any mention of real-time feedback, or any mention of a model for analyzing a business enterprise's capability in creating value.

In the claimed invention, real-time feedback is entered into a data structure or model that permits a user to determine outcomes of a value stream of a business enterprise. The "data objects" or "library objects" disclosed by Wang have no relation to the claimed "real-time feedback." The data objects or documents referred to in Wang are self-standing documents or groups of documents. These documents or objects are not arranged in a data structure used to determine outcomes of a value stream of a business enterprise. Therefore, accessing these documents based on an authorization level is not equivalent to entering real-time feedback into a business analysis model based on an authorization level.

For these reasons, even if the proposed combination were made, it would not teach the limitations related to authorizing users to enter "real-time feedback" in a data structure by reference to the level of authorization of the user. For these reasons, the proposed combination cannot render obvious any of claims 10, 12 or 13. Applicants respectfully request that these claims also be allowed.

CONCLUSIONS

Applicants' invention is both novel and nonobvious over Eder and Wang for all of the various reasons set forth above and for the reasons discussed in prior office action responses and amendments. Eder and Wang do not teach each and every element of any of Applicants' claimed inventions.

For all of these reasons, Applicants respectfully assert that all of claims 1-5, 8-18, 21 and 22 are in condition for allowance. The Examiner's early reconsideration is respectfully requested. If the Examiner has any questions, the Examiner is invited to contact Applicants' attorney at the following address or telephone number:

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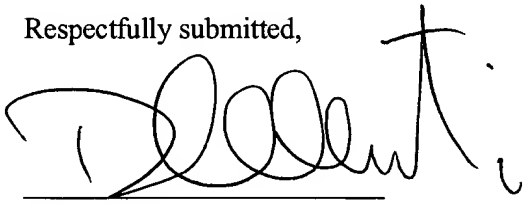
Respectfully submitted,



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